



1600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Specht et al.

Serial No. 09/674,266

1631

Group Art Unit: 1314

Filed: October 30, 2000

Examiner: TBA

RECEIVED

APR 25 2002

TECH CENTER 1600/2900

For: HUMAN NUCLEIC ACID SEQUENCES FROM PANCREAS TUMOR TISSUE

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §§ 1.56, 1.97 and 1.98

Assistant Commissioner for Patents
Washington, D. C. 20231

Sir:

RECEIVED
APR 19 2002
TC 1700

CITED MATERIALS

Applicant(s) hereby disclose the information listed in the attached form PTO-1449.

- ☐ Copies of materials listed but not attached were cited in parent application Serial No. ____; see 37 C.F.R. § 1.98(d).
- ☒ Copies of materials listed but not attached were cited in an International Search Report dated March 22, 2000; receipt of the International Search Report and copies of references was confirmed by the PCT International Division of the U.S. PTO in the Notice of Acceptance mailed February 11, 2002.

LANGUAGE

- ☐ All listed materials are in the English language; see 37 C.F.R. § 1.98.
- ☐ Non-English language references:
 - ☐ The reference(s): _____ in the English-language is (are) indicated by commercial data bases to correspond to the reference(s): _____, respectively.
 - ☐ (An) English-language translation(s) of the references: _____ is (are) provided.
 - ☐ A commercial English-language abstract of reference(s) _____ is (are) provided.
 - ☐ An English-language search report or an equivalent paper from a foreign patent office translated into English in pertinent part in connection with a counterpart foreign application, is provided indicating the relevance of the cited reference(s).

FEES

- ☒ No fee is required for this Information Disclosure Statement because:
- ☐ This Information Disclosure Statement is being filed within three months of the filing date of a national application (other than a CPA) under § 1.53(d) or within 3 months of the date of entry of the national stage under § 1.491 in an international application;
 - ☒ This Information Disclosure Statement is being filed before the mailing of a first action on the merits;
 - ☐ This Information Disclosure Statement is being filed after a first action on the merits but before the mailing date of any of a final action under § 1.113, a notice of allowance under § 1.311, or an action that closes prosecution in the application, and is accompanied by a certification below.
 - ☐ This Information Disclosure Statement is filed under 37 C.F.R. § 1.97(i).
- ☐ A fee is required for this Information Disclosure Statement:
- ☐ This Information Disclosure Statement is being filed after a first action on the merits but before the mailing date of any of a final action under § 1.113, a notice of allowance under § 1.311 or an action that closes prosecution, and is accompanied by the fee set forth in § 1.17(p).
 - ☐ This Information Disclosure Statement is being filed after the mailing date of a final rejection or a notice of allowance under § 1.311 or an action that closes prosecution, but before the payment of the issue fee, and is accompanied by the fee set forth in § 1.17(p) and a certification below.

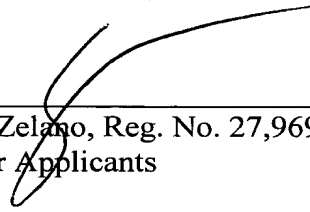
CERTIFICATION

- ☐ Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned, having made reasonable inquiry, no such item was known to any individual designated in 37 CFR § 1.56(c), more than three months prior to the filing of this statement.

DEPOSIT ACCOUNT

If a fee is due, attached is a check in the amount of \$ _____. However, the Commissioner is hereby authorized to charge fees under 37 CFR § 1.16 and § 1.17 which may be required to facilitate this filing, or credit any overpayment to Deposit Account #13-3402, two copies of this paper are attached for this purpose.

Respectfully submitted,

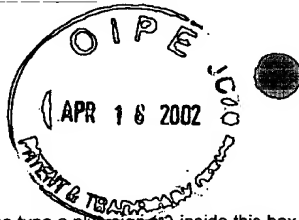


Anthony J. Zelano, Reg. No. 27,969
Attorney for Applicants

MILLEN, WHITE, ZELANO
& BRANIGAN, P.C.
Arlington Courthouse Plaza 1
2200 Clarendon Blvd. Suite 1400
Arlington, Virginia 22201
Telephone: (703) 243-6333
Facsimile: (703) 243-6410

Attorney Docket No.: Albre-3

Date: April 18, 2002
AJZ:dsp



Please type a plus sign (+) inside this box →



PTO/SB/08A (08-01)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

APR 25 2002

RECEIVED

TECH CENTER 1700

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number	09/674,266
Filing Date	October 30, 2000
First Named Inventor	Specht et al.
Group Art Unit	1314
Examiner Name	TBA
Attorney Docket Number	Albre-3

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			

FOREIGN PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ₈
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	A	EP	0679716	A		11/02/95		

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Bird, C. "Homo sapiens DNA seque3nde from PAC 884M20 on Chromosome Z" EMBL Datenbank, Heidelberg, DE EMHUM 2 Eintra No. AL020991, pp 11-21. 12/12/97	
		"ni36b01.sl NCI CGAP Lu1 Homo sapiens cDNA clone," EMBL Datenbank, Heidelberg, DE., EMEST1 Eintrag No. AA554484, (09/11/97)	
		Muller-Pillasch, et al., "Identification of a new tumor-associated antigen TM4SF5 and its expression in human cancer." <i>Gene</i> , Bd. 208, Nr. 1, (2/16/98)	
		Yokoyama, et al. "Betacellulin, a member of the epidermal growth factor family, is over expressed in human pancreatic cancer." <i>International Journal of Oncology</i> , Bd. 7, Nr. 4, (10/01/95)	
		Surinya, et al., "Identification and Characterization of a Conserved Erythroid-specific Enhancer Located in Intron 8 of the Human 5-Aminolevulinat Synthase 2 Gene." <i>Journal of Biological Chemistry</i> , Bd. 273, Nr. 27, (07/03/98)	
		Schmitt, et al., "Exhaustive mining of EST libraries for genes differentially expressed in normal and tumor tissue." <i>Nucleic Acids Research</i> , Bd. 27, Nr. 21. (11/01/99)	

Examiner
Signature

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231

RECEIVED

APR 19 2002

TC 1700